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SERVICE DATE - SEPTEMBER 27, 2000

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB-33 (Sub-No. 70)

UNION PACIFIC RAILROAD COMPANY—ABANDONMENT—WALLACE BRANCH, ID

Decided: September 26, 2000

By decision and certificate of interim trail use or abandonment served June 26, 2000 (June Decision), the Board gave final approval to the Union Pacific Railroad Company (UP) to salvage its 71.5-mile Wallace Branch rail line in Benewah, Kootenai, and Shoshone Counties, ID, subject to four environmental conditions and other terms and conditions. See June Decision. The Board also authorized the railroad to negotiate an interim trail use agreement with the State of Idaho and the Coeur d'Alene Tribe pursuant to section 8(d) of the National Trails System Act, 16 U.S.C. 1247(d).

In the June Decision, of the four environmental conditions imposed by the Board, Condition No. 3 prohibited the railroad from taking any steps to alter the historic integrity of the Chatcolet swing bridge until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.

By memorandum dated September 12, 2000, the Board's Section of Environmental Analysis (SEA) forwarded to the Board a copy of a Memorandum of Agreement (MOA) executed by the Idaho State Historic Preservation Officer, the Coeur d'Alene Tribe, UP, and the Board concerning the section 106 historic preservation condition imposed in this proceeding. SEA indicates that the MOA, which has been signed by all parties, concludes the process implementing the section 106 process of the National Historic Preservation Act. SEA therefore recommends that the condition be removed.

Accordingly, the proceeding will be reopened and the previously imposed historic preservation condition will be removed.<sup>1</sup>

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

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<sup>1</sup> The other environmental conditions imposed in the June 26, 2000 decision in this proceeding will remain in effect.

It is ordered:

1. This proceeding is reopened.
2. Upon reconsideration, the section 106 historic preservation condition (Condition No. 3) imposed in the decision served June 26, 2000, is removed.
3. This decision is effective on its service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams  
Secretary